



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

# 2  
J. Sayle  
4/6/01

In re Application of )  
 )  
Bell ) Group Art Unit: 2645  
 )  
Application No.: 09/759,116 ) Examiner: *Unassigned*  
 )  
Filed: January 11, 2001 )  
 )  
For: **PORTABLE MESSAGE** )  
 **WAITING INDICATOR** )  
 )

RECEIVED  
MAR 14 2001  
Technology Center 2600

**POWER OF ATTORNEY BY ASSIGNEE  
TO EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 3.71  
WITH REVOCATION OF PRIOR POWERS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The undersigned ASSIGNEE of the entire interest in the above-identified application for letters patent hereby appoints Daniel E. Vaughan, Registration No. 42,199 and A. Richard Park, Registration No. 41,241 of PARK & VAUGHAN LLP, to prosecute this application and transact all business in the United States and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee:

X a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or

\_\_\_\_\_ the Assignment recorded on \_\_\_\_\_ at reel \_\_\_\_\_, frames \_\_\_\_\_ - \_\_\_\_\_.

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Direct all telephone calls and correspondence to:

Daniel Vaughan  
Park & Vaughan LLP  
702 Marshall Street  
Suite 310  
Redwood City, CA 94063  
(650) 474-1973

**ASSIGNEE:** eVoice, Inc.

Name:   
(Signature)

Name: Michael J. Januzik

Title: Vice President, Finance and Administration

Date: 1-17-01

01/08/2001 09:36 650-474-1976

PARK &amp; VAUGHAN LLP

PAGE 04/04

**ASSIGNMENT**

WHEREAS, I, Ian Andrew Bell (hereinafter "ASSIGNOR"), citizen of Canada, residing at 3018 Vega Court, Burnaby BC Canada V3J1B3, am the inventor of the invention in Portable Message Waiting Indicator for which I have executed an application for a Patent of the United States

- ☒ which is executed on even date herewith  
☒ which is identified by Park & Vaughan LLP attorney docket no. EVC00-003; and  
☐ which was filed on \_\_\_\_\_ and was assigned Application No. not yet assigned

and WHEREAS, eVoice, Inc., d/b/a Talkstar.com, Inc. (hereinafter "ASSIGNEE"), a Delaware Corporation having a business address at 1394 Willow Road, Menlo Park 94025, is desirous of obtaining my entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said ASSIGNOR, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, my entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND I HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

AND I HEREBY further covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries. In the event that I am not an employee of ASSIGNEE at the time such aid is required, I agree to render such aid in return for an hourly rate of pay no greater than twice my equivalent regular hourly pay as it stood on the date of my departure from ASSIGNEE.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal the day and year set opposite my signature.

Date: JANUARY 6, 2001

Ian Andrew Bell (L.S.)

In the State of \_\_\_\_\_, county of \_\_\_\_\_, on \_\_\_\_\_, 2001, before me, \_\_\_\_\_, Notary Public, personally appeared [Ian Andrew Bell], personally known to me/proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

\_\_\_\_\_  
Notary Public